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189976



March 20, 1999

Mr. Muthu Sundram, Assistant Regional Counsel  
Office of Regional Counsel  
New Jersey Superfund Branch  
U.S. Environmental Protection Agency  
290 Broadway, 17<sup>th</sup> Floor  
New York, NY 10007-1866

In re: Response to Request for Information on Remedial Investigation/Feasibility  
Study at the LCP Chemicals, Inc. Superfund Site, Linden, New Jersey

Dear Mr. Muthu,

The letter written to John F. Finn in connection with UltraPure Compressed Gases has been forwarded to me for response. I have attached a list of answers to the proposed questions, but let me outline the UltraPure Compressed Gases involvement in the above referenced inquiry.

UltraPure was a company formed in late 1990 in a business transaction by purchasing certain assets from Union Carbide Corporation (UCC) and entering into a contract to purchase Liquid Hydrogen from UCC. The liquid hydrogen was transported into the facility at the Foot of South Wood Avenue in Linden, NJ by UCC and stored in a tank that was rented from UCC. The facility was rented from LCP Chemicals. The only business that UltraPure conducted was to sell the hydrogen by transferring it into smaller containers, cylinders and tube trailers, in a gaseous state for certain customers. UltraPure never manufactured any product nor did it ever discharge anything into the ground. The venture, not being profitable, lasted some 16 months and in early 1992 closed and was dissolved. Because of the losses incurred, UltraPure was technically bankrupt, as there were no assets accumulated.

Because much time has passed and the location of anyone who was active with the business is unknown, this information is recalled to the best knowledge available. Furthermore, no records could be located relating to this business venture.

Respectfully submitted,

Robert B. Morrison, CPA

✓Cc: Patricia Simmons, Remedial Project Manager

## ANSWERS TO REQUEST FOR INFORMATION

1. (a.) ULTRAPURE COMPRESSED GASES, INC.  
(b.) PRESIDENT- THOMAS SABINO.  
(c.) New Jersey- UNKNOWN.  
(d.) This information has not been obtained as all records have been discarded or lost.  
(e.) ULTRAPURE was not a subsidiary, had neither subsidiaries nor any affiliates.
2. To the best knowledge available, no permits were required or issued pursuant to the Resource Conservation and Recovery Act. Nor did it have any EPA Identification number.
3. No property is currently owned, leased or maintained at the LCP Chemicals site. During the period in business, approximately late 1990 to early 1992, the property at the Foot of South Wood Avenue in Linden, NJ was rented. The lease is not available as it is discarded or lost.
4. The details and map are discarded or lost.
5. There are no current operations nor have there been any since early 1992. The extent of business conducted was for the distribution of compressed Hydrogen from a stationary ground storage unit into tube trailers and cylinders. In doing so, UltraPure followed all applicable rules and regulations as required by Federal Hazardous Materials Regulations as set forth in Title 49 Code of Federal Regulations and the Compressed Gas Association. There has been no history of any incident or an event meeting incident reporting requirements as required by CFR 49 sec. 171.15 or 171.16 at this site. Also, under "Hazardous Substances" section 101 (14) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9601 (14), Compressed Hydrogen is neither listed nor designated. Furthermore, Appendix A to 172.101 CFR 49 – "List of Hazardous Substances and Reportable Quantities" does not list Compressed Hydrogen. This list fulfills the requirement of CERCLA, 42 U.S.C. 9601 (a) \, that all "hazardous substances" as defined in 42 U.S.C. 9601 (14), be listed and regulated as hazardous materials under the Hazardous Materials Transportation Act. That definition includes substances that are listed under sections 311(b)(2)(A) and 307(a) of the Federal Water Pollution Control Act, 33 U.S.C. 1321(b)(2)(A) and 1317(a), section 3001 of the Solid Waste Disposal Act, 42 U.S.C. 6921, and section 112 of the Clean Air Act, 42 U.S.C. 7412. In addition, this list contains materials that the Administrator of the Environmental Protection Agency has determined to be hazardous substances in accordance with section 102 of CERCLA, 42 U.S.C. 9602. Furthermore, in Appendix B to 172.101 CFR 49 – "List of Marine Pollutants", again Compressed Hydrogen is not listed. This appendix lists potential marine pollutants as defined in CFR 49 sec. 171.8. All personnel records were with the company paperwork that has been discarded when the company was dissolved.
6. No.

7. No hazardous substances, hazardous wastes and/or "CERCLA waste material" were handled in the operation of the business entity.
8. Because the company was not involved in hazardous materials, hazardous waste, or "CERCLA waste materials", no lagoons, impoundments or storage tanks were used.
9. The company was not involved in hazardous materials, hazardous waste, or "CERCLA waste materials". Therefore, no documents exist.
10. The company was not involved in hazardous materials, hazardous waste, or "CERCLA waste materials" including halogenated or non-halogenated organic chemicals. Therefore, no dates exist where any were released.
11. The company was not involved in hazardous materials, hazardous waste, or "CERCLA waste materials". Therefore, no person has any knowledge.
12. The company was not involved in hazardous materials, hazardous waste, or "CERCLA waste materials". Therefore, no leases, contracts, permits, or other written agreement exists.
13. The Company ceased business in early 1992. Therefore all company records have not been located including any contracts or agreements.
14. To the best knowledge available, no insurance policy currently or ever existed.
15. UltraPure Compressed Gases, Inc. ceased business and was in technical bankruptcy. No formal bankruptcy was filed for in as much as no assets existed.
16. To the best knowledge available, there is no additional information to assist the EPA to identify sources who disposed of hazardous materials, hazardous waste, or "CERCLA waste materials".
17. To the best knowledge available, there are no documents regarding any additional business entities that had any kind of connection to LCP Chemicals, Inc.
18. ROBERT B. MORRISON  
13659 Providence Road, Suite F  
Matthews, NC 28104  
Tele: 704-814-4820  
Certified Public Accountant
19. John F. Finn, to the best of his knowledge, assisted in general information regarding this response.
20. Certification of Answers attached.

**CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION**

State of NORTH CAROLINA

County of MECKLENBURG

I certify under penalty of law that I have personally examined and am familiar with the Information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

ROBERT B MORRISON  
NAME (print or type)

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TITLE (print or type)

  
SIGNATURE

Sworn to before me this

18<sup>th</sup> day of March, 1998

  
Notary Public